

# COUNTY OF YORK

## MEMORANDUM

**DATE:** June 6, 2005 (BOS Mtg. 6/21/05)

**TO:** York County Board of Supervisors

**FROM:** James O. McReynolds, County Administrator

**SUBJECT:** Application No. UP-668-05, Specialty Motorsports & Collectibles

### **ISSUE**

This application requests a Special Use Permit, pursuant to Section 24.1-306 [Category 12, No. 5(a)] of the York County Zoning Ordinance, to authorize the establishment of a used car dealership without auto body work and painting on a 1.0-acre parcel of land located at 8017 George Washington Memorial Highway (Route 17) in the southeast quadrant of its intersection with Fort Eustis Boulevard (Route 105). The property, further identified as Assessor's Parcel No. 24-68-1, is zoned GB (General Business) and is designated for General Business development in the *Comprehensive Plan*.

### **DESCRIPTION**

- Property Owner: First X Realty LP
- Location: 8017 George Washington Memorial Highway (Route 17)
- Area: 1.0 acre
- Frontage: Approximately 200' along George Washington Memorial Highway (Route 17) and approximately 200' along Fort Eustis Boulevard (Route 105)
- Utilities: Public water and sewer
- Topography: Flat
- 2015 Land Use Map Designation: General Business
- Zoning Classification: GB – General Business
- Existing Development: Former gas station
- Surrounding Development:  
North: McDonald's fast food restaurant (across Fort Eustis Boulevard) and Patriots Square Shopping Center (across Route 17)

East: Wendy's fast food restaurant (across Route 17).  
South: None on adjacent parcel; Quarters of York residential condominium project is under development along a new street (General's Way) extending from Route 17.  
West: None

- Proposed Development: Used car sales dealership without auto body work and painting

### **CONSIDERATIONS/CONCLUSIONS**

1. The existing structure was built in 1987 and served as the location for an Exxon automobile fuel dispensing and service station until September 22, 2002. Existing development consists of a 1,081-square foot building, along with a large paved area and a 5,096-square foot canopy. Access to the site is from an entrance off George Washington Memorial Highway (Route 17) and an access road connection from Fort Eustis Boulevard (Route 105).
2. The *Comprehensive Plan* designates this area as General Business; in accordance with this designation, the property is zoned GB (General Business). In addition, the *Comprehensive Plan* identifies the intersection of Routes 17 and 105 as having potential for mixed-use development. The Plan references the 1996 *Route 17 Corridor Master Plan*, which identifies this under-developed node as a possible "village center" because of the large amount of undeveloped acreage, its central location at the intersection of two major arterial highways, and the presence of high-density housing in relatively close proximity to commercial land. The *Route 17 Corridor Master Plan* suggests that the four quadrants of the intersection could lead to future development as a pedestrian-oriented mix of uses anchored by commercial development. It also states that this intersection "would be enhanced by formal landscaping and directional signs designating it as a gateway to Yorktown and to the Colonial National [Historical] Park. It is one of the primary entrances to Route 17 from the surrounding area and provides direct access from Interstate 64."
3. In March 2004 the Board adopted a series of Zoning Ordinance amendments pertaining to car dealerships, gas stations, and car washes. These amendments grew out of a concern raised by the Route 17 Revitalization Committee about the potentially adverse effects of auto-related uses on the aesthetic quality of the County's major corridors, particularly Route 17, and a belief that some GB-zoned areas simply are not suitable for auto-related uses under any conditions. As a result of these amendments, such uses – which were previously permitted as a matter of right – now require a Special Use Permit in the GB zoning district. The premise behind this change was that auto-related uses need site-specific, case-by-case review afforded by the Special Use Permit process.
4. The applicant proposes to use the existing building, canopy, and pavement sections to operate a used car sales dealership without auto bodywork and painting. The existing building would be used as the sales office. Access to the site, according to the sketch

plan, would be from the existing Route 17 entrance and the access road connection from Fort Eustis Boulevard. However, the Virginia Department of Transportation (VDOT) has recommended that the Route 17 entrance be relocated beyond the property line, and I concur with this recommendation. The existing entrance does not provide adequate separation from the intersection, interfering with the operation of traffic through the intersection. I have recommended a use permit condition that would require closure of the Route 17 entrance. The property would still have access via Fort Eustis Boulevard and, eventually to the adjacent parcel to the south (the parcel situated between the subject property and General's Way, the new street that will serve the Quarters of York condominium project under construction) via a joint common access easement established when the subject parcel was created in 1985.

5. The proposed used car dealership would generate much less traffic than did the previous gas station. Unfortunately the ITE (Institute of Transportation Engineers) *Trip Generation* manual (7<sup>th</sup> edition) contains trip generation figures not for used car dealerships but for *new* car dealerships only. These figures at least provide a frame of reference for projecting the amount of traffic that might be generated by the proposed use. According to the ITE, a new car dealership of the size proposed could be expected to generate approximately 41 vehicle trips per day and only 2-3 in either the AM or PM peak hour. Even if used car dealerships generate *significantly* more traffic than new car dealerships, these figures are well below the thresholds for requiring a traffic impact analysis (1,000 trips per day or 100 peak-hour trips). By comparison, the former Exxon station generated more than 1,300 trips per day, based on ITE trip generation rates.
6. The parcel is located within the Chesapeake Bay Resource Management Area (RMA); therefore, any additional development will be subject to the provisions applicable to Chesapeake Bay Preservation Areas as set forth in Chapter 23.2 of the York County Code. Accordingly, the applicant will be required to submit a Natural Resources Inventory as part of its site plan submission if this application is approved. If impervious surface is increased a stormwater management plan will be required addressing water quality and quantity issues. In addition, the property falls in the Watershed Management and Protection Area (WMP) overlay district. Any development thereon will be subject to special performance standards intended to ensure the protection of watersheds surrounding public water supply reservoirs.
7. The site is in a highly visible location at the intersection of two major highways – Route 17 and Route 105. This is one of the first developed parcels that people see as they enter York County from I-64 via Route 105. Furthermore, this segment of Route 17 is the main gateway leading to the historic Yorktown village. For these reasons, it is critical that any proposal to redevelop this parcel demonstrate special attention to visual quality. The applicant has submitted renderings for a renovated structure and a landscape plan, neither of which, in my opinion, reflects completely the qualities needed to protect the corridor and to promote an aesthetically pleasing development. Therefore, I have recommended a condition to require renovation of the existing building to achieve compliance with the recently adopted Route 17 Corridor overlay district requirements and, specifically, to require that the building façade integrate the

design and materials used on the Patriots Square shopping center on the opposite corner of the intersection. As such, the proposed condition includes a requirement that the shell building renovation consist of brick veneer façade and that the canopy be converted to have the appearance of a mansard-style roof. Furthermore, because of the location and high visibility of the property, special landscaping requirements have been recommended in the proposed conditions. Finally, in order to avoid visually obtrusive sign clutter in this location, I recommend a condition that only a monument sign be allowed and only in accordance with the sign area and height standards applicable to the Limited Business zoning district. Pursuant to Section 24.1-475(d) of the Zoning Ordinance, no signage is permitted on the canopy.

8. The Office of Economic Development does not support this application, noting that the Board “has made the revitalization of Route 17 a priority. They have made it clear, by requiring a Special Use Permit for all auto related land uses, that an auto sales establishment in a prominent tourist area is not what they envision for the corridor.” The Office of Economic Development has conveyed this position directly to the applicant.

#### **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission considered this application at its regular meeting on May 11 and conducted a public hearing at which the applicant and two other citizens spoke in support of the application. In addition, an attorney representing the owner of the property surrounding the subject parcel spoke in opposition to the application. Subsequent to conducting the public hearing, the Commission voted 7:0 to recommend denial because of its inconsistency with the vision of the *Comprehensive Plan* and the Route 17 Revitalization Committee for this highly visible gateway into the historic area. (For more details, please see the attached minutes excerpts.)

#### **COUNTY ADMINISTRATOR RECOMMENDATION**

I concur with the Planning Commission’s opinion that the proposed used car dealership is inconsistent with the vision for this area set forth in the *Comprehensive Plan*, the *Route 17 Corridor Master Plan*, and the recommendations of the Route 17 Revitalization Committee. The final report of the Route 17 Revitalization Committee states that the corridor’s automobile orientation (versus a pedestrian orientation) necessitates expansive amounts of asphalt and a large number of curb cuts and provides an “opportunity for improvement.” The report also notes that gateways at both ends of the corridor could be enhanced and that there is no consistent architectural style or appearance along Route 17. It was partially to address such issues that the Board subsequently amended the Zoning Ordinance for auto-related uses, giving the County more control through the Special Use Permit process.

The vision of a pedestrian-oriented “village center” encompassing the subject parcel and the surrounding 11.3-acre parcel, which is entirely undeveloped, is depicted on the attached Fort Eustis Village Center Concept plan (excerpted from the *Route 17 Corridor Master Plan*). There is, of course, no guarantee that this vision will be realized if this

application is denied, but the potential for such a development will be greatly reduced if this application is approved. Even if this area is not ultimately developed as a “village center,” I do not believe that a used car dealership is appropriate in this highly visible location along the major gateway into Yorktown.

It should be noted, that the proposed used car dealership would help to accomplish one of the other goals for Route 17 by putting a vacant, blighted structure to productive use, and, there is some benefit to approving a low traffic generator in this location along two congested major arteries. However, I believe these considerations are outweighed by the proposal’s lack of consistency with the *Comprehensive Plan* and the vision it articulates for this area of the County. Therefore, based on the considerations and conclusions as noted, I recommend that the Board deny this application. However, should the Board choose to approve the application, I recommend that approval be subject to the conditions contained in proposed Resolution No. R05-114. These conditions have been revised slightly since the Planning Commission meeting to reflect Zoning Ordinance amendments adopted by the Board on May 17, which eliminated the Environmental Management Area overlay district, created the Route 17 Corridor overlay district, and incorporated the Chesapeake Bay Preservation Area regulations as a separate chapter of the York County Code.

Carter/3337: EWA

#### Attachments

- Excerpts from Planning Commission minutes, May 11, 2005
- Zoning Map
- *Route 17 Corridor Master Plan* excerpt – “Fort Eustis: Village Center Concept”
- Concept Plan
- Architectural Renderings (2)
- Landscape Plan
- Landscape Rendering
- Proposed Resolution No. R05-114